

1 QUINN EMANUEL URQUHART & SULLIVAN, LLP

Kathleen M. Sullivan (CA Bar No. 242261)

2 kathleensullivan@quinnemanuel.com

Daniel C. Posner (CA Bar No. 232009)

3 danposner@quinnemanuel.com

865 S. Figueroa St., 10th Floor

4 Los Angeles, California 90017

Telephone: (213) 443-3000

5 Facsimile: (213) 443-3100

6 QUINN EMANUEL URQUHART &
SULLIVAN, LLP

7 Asher Griffin (appearance *pro hac vice*)

ashergriffin@quinnemanuel.com

8 300 W. 6th St., Suite 2010

Austin, TX 78701

9 Telephone: (737) 667-6100

10 QUINN EMANUEL URQUHART &
SULLIVAN, LLP

11 Alex Spiro (appearance *pro hac vice*)

alexspiro@quinnemanuel.com

12 51 Madison Ave., 22nd Floor

New York, NY 10010

13 Telephone: (212) 849-7000

14 *Attorneys for Defendant Tesla, Inc.*

15
16 **UNITED STATES DISTRICT COURT**

17 **NORTHERN DISTRICT OF CALIFORNIA**

18 **SAN FRANCISCO DIVISION**

19
20 OWEN DIAZ,

21 Plaintiff,

22 v.

23 TESLA, INC. DBA TESLA MOTORS, INC.,

24 Defendant.

Case No. 3:17-cv-06748-WHO

**DECLARATION OF DANIEL C. POSNER
IN SUPPORT OF DEFENDANT'S REPLY
TO MOTION FOR A NEW TRIAL ON
LIABILITY AND DAMAGES**

Hearing Date: December 7, 2022

Time: 2:00 p.m.

Place: Courtroom 2, 17th Floor

Judge: Hon. William H. Orrick

DECLARATION OF DANIEL C. POSNER

I, Daniel C. Posner, hereby declare:

1. I am a member of the State Bar of California and of this Court and am counsel for Defendant Tesla in this matter. I have personal knowledge of the facts set forth in the declaration, and if called as a witness I could and would testify competently thereto.

2. I make this declaration in support of Defendant's Reply In Support of Motion for a New Trial on Liability and Damages

3. Attached hereto as Exhibit A is a true and correct copy of the transcript from the July 12, 2022 Case Management Conference in this matter with the relevant excerpts highlighted.

I declare under penalty of perjury under the laws of California that the foregoing is true and correct. Executed on this 18th day of November, 2022 in Los Angeles, California.

/s/Daniel C. Posner
Daniel C. Posner